



VIA FEDERAL EXPRESS and EMAIL

October 22, 2014

Chief, Chemical Risk Information Branch  
EPA Region 7  
11201 Renner Blvd.  
Lenexa, Kansas 66219

Re: Consent Decree Civil Action No. 1:13-cv-56, Quarterly Progress Report #6

Dear Ms. Stockdale,

Below is a summary of the progress towards completing the obligations under the Consent Decree:

Appendix A: Third Party Audit Protocol

Facility	Status	Report Submitted to EPA	Non-Capital Action Items Due	Capital Action Items Due
Emporia, KS	Complete	9/10/2013***	Complete	Complete
Omaha, NE	Complete	10/10/2013***	Complete	Complete
Perry, IA	Complete	11/13/2013	Complete	11/13/14
Hutchinson, KS	Complete	1/8/2014	Complete	1/8/15
S. Hutchinson, KS	Complete	1/10/2014	Complete	1/10/15
Cherokee, IA	Complete	2/17/2014**	Complete	Closed*
Sedalia, MO	Complete	3/11/2014**	Complete	3/11/15
Dexter, MO	Complete	3/26/2014	Complete	3/26/15
Madison, NE	Complete	4/7/2104	Complete	4/7/15
Montgomery City, MO	Complete	7/9/2014	Complete	Complete
Sioux City, IA	Complete	10/6/14	2/21/15	8/25/15
Waterloo, IA Pork	Complete	10/6/14	3/3/15	9/4/15
Waterloo, IA KPR	Complete	Pending	Report Pending	Report Pending
Storm Lake, IA	10/13/2014	Pending	Report Pending	Report Pending
Olathe, KS	11/3/2014	Audit Scheduled	Audit Scheduled	Audit Scheduled
Finney, KS	2/23/15	Audit Scheduled	Audit Scheduled	Audit Scheduled
Concordia, MO	3/16/15	Audit Scheduled	Audit Scheduled	Audit Scheduled
Noel, MO	4/6/15	Audit Scheduled	Audit Scheduled	Audit Scheduled

\*Cherokee IA has been officially closed and all ammonia removed from facility.

\*\* Quarterly Report #4 indicated 3/26/14 for submittal dates for Cherokee and Sedalia Audits; though QA of submittal dates revealed actual submittal to EPA was 2/17/14 and 3/11/14 respectively.

\*\*\* Date pertains to electronic submission, copies also sent via FEDEX

#### Appendix B: Protocol for Non-Destructive Testing of Pipe Thickness

- NDT audit schedule:

Facility	NDT Audit Completion Date	NDT Report Received	NDT Report submitted to EPA	NDT Action Items Due Date
Emporia, KS	7/12/13	7/19/13	7/19/13	12/9/13
Hutchinson, KS	5/26/13*	6/3/13	7/19/13	11/11/13
S. Hutchinson, KS	5/29/13*	6/10/13	7/19/13	11/11/13
Omaha, NE	7/11/13	7/12/13	7/19/13	12/8/13
Cherokee, IA	6/22/13	7/1/13	7/19/13	11/19/13
Perry, IA	8/1/13	9/3/13	9/4/13	12/28/13
Sedalia, MO	10/29/13	11/11/13	11/22/13	3/28/14
Dexter, MO	12/31/13	1/8/14	2/18/14	5/30/14
Madison, NE	1/9/14	1/9/14	2/18/14	6/8/14
Montgomery City, MO	3/18/14	3/18/14	3/26/14	8/15/14
Lexington, NE	2/13/14	2/13/14	3/26/14	7/13/14
Sioux City, IA	6/11/14	6/11/14	7/25/14	11/8/14
Waterloo, IA - Pork	6/11/14	6/11/14	7/25/14	11/8/14
Storm Lake, IA	8/11/14	8/11/14	8/19/14	1/8/15
Olathe, KS	8/11/14	8/20/14	8/22/14	1/8/15
Finney, KS	Scheduled	-	-	-
Concordia, MO	Scheduled	-	-	-
Noel, MO	Scheduled	-	-	-

Note: All reports submitted to Dave Einolf prior to third party audits.

#### Attachments:

- Certification of Completion of all NDT Action Items for Dexter MO, Lexington NE, Madison NE, Montgomery City MO, Sioux City IA.
- 3<sup>rd</sup> Party Audit Summaries for Emporia KS Plant, Emporia KS Freezer, Montgomery City, KS, Omaha NE.
- Ammonia Recovery Certification Cherokee, IA (Removal of all ammonia, closed facility)

#### Appendix C: Protocol for Supplemental Environmental Project (SEP)

- SEP completion report was submitted 1/31/2014.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on any personal knowledge I may have and my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Signed,

A handwritten signature in black ink, appearing to read "Tyler Dutton", with a stylized flourish at the end.

Tyler Dutton

Senior Director of Compliance Assurance